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COMMITTEE ON THE RIGHTS OF THE CHILD
30th Session
Pre-sessional Working Group
4 – 8 February 2002

IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of the initial report of the Netherlands (Netherlands Antilles) (CRC/C/61/Add.4)

PART I

Under this section the State party is requested to submit in written form additional and updated information, if possible before 5 April 2002:

A. Data and statistics, if available for 1999, 2000, 2001

1. Please provide demographic data on the under-18 population (disaggregated by sex, age, nationality and island).

2. Please provide specific disaggregated data on central and island budgetary allocation and spending for social needs, as percentages of total expenditures. In particular, how much was allocated and spent on:
a) education (pre-primary, primary and secondary education, salaries, preservation of school buildings);
b) health (primary health care, vaccination, adolescent health care, HIV/AIDS programmes, and other health care services for children);
c) child protection (e.g. institutional or foster care);
d) support to families of children in need of special care;
e) juvenile crime prevention;
f) children with disabilities; and
g) disbursements from the Netherlands for health, education and other social services in the Netherlands Antilles.

3. Please provide data (disaggregated by gender, age, island) on the number and proportion of children with disabilities; and those living in institutions.

4. Please provide data (disaggregated by age and gender) on the number of children that are:
a) separated from their parents;
b) placed with foster families;
c) placed in institutions; and
d) adopted (domestic and intercountry).

5. Please specify the net enrolment ratio and the completion rates (disaggregated by sex and age) in:
a) pre-primary;

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b) primary;
c) secondary;
d) vocational; and
e) private schools.

6. Please provide data (disaggregated by sex, age, type of crime) on the number of children:
a) who have allegedly committed a crime reported to the police;
b) the number of children held in pre-trial detention and the average duration of such detention;
c) who were sentenced by Courts to sanctions;
d) nature of sanctions (e.g. community service, detention, other);
e) where the sanction is deprivation of liberty, the period of detention and the type of detention facility (juvenile, adult or other);
f) the percentage of recidivism cases;
g) when deprived of liberty, the number of children maintaining contact with family and how often; and
h) children under-12 in institutions.

7. Please provide data (disaggregated by sex, age, island) on how many children:
a) have been reported to be involved in sexual exploitation, including prostitution, pornography, and how many were provided with rehabilitation;
b) are involved in substance abuse, and how many receive treatment;
c) are living in the streets, and how many receive assistance; and
d) are involved in child labour (formal and informal sector).

B. General Measures of Implementation

1. i) Please indicate what, if any, consideration has been made by the State party with respect to its reservations to articles 26, 40, and 37 (c) of the Convention.

ii) With regard to the declaration to article 22 concerning the submission of request for admission, please specify what is meant by "certain conditions".

2. Please indicate the status of the Convention in domestic law (e.g. whether it can be invoked directly by courts and administrative bodies, and if so, please provide examples).

3. On the coordination between the Netherlands and the Netherlands Antilles with respect to the implementation of the Convention in the Netherlands Antilles, please provide information on:
a) their respective fields of responsibility; and
b) the budgets allocated to those fields.

4. Please provide information on the coordination—with respect to the implementation of the Convention and the National Youth Policy Program—between the central and island Governments.

5. With respect to the Task Force for Antillean Youth, the Department for Well Being, Family and Humanitarian Affairs, and the Youth Advisory groups, please provide information on:
a) their respective roles, activities and funding; and
b) the extent to which these organisations collaborate with NGOs, such as Sifma.

6. Please indicate what measures have been taken to ensure the monitoring of the implementation of the Convention by an independent body, such as an Ombudsperson for children's rights.

7. Please indicate the level of cooperation, including disbursements, of the Netherlands with NGOs operating in the Netherlands Antilles, as well as what sectors these NGOs are involved in.

8. Please provide information on measures taken to disseminate the Convention and to increase awareness on the Convention among government officials, parliamentarians, local politicians, professionals working with and for children and the population in general, including families and children.

PART II

Please provide copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic format.

PART III

Under this section, the State party is invited to briefly (3 pages maximum) up-date the information provided in its report with regard to:

- new bills or enacted legislation
- new institutions
- newly implemented policies
- newly implemented programmes.

PART IV

The following is a preliminary list of major issues that the Committee may take-up during the dialogue with the State party - THEY DO NOT REQUIRE WRITTEN RESPONSES. This list is not exhaustive as other issues may be raised in the course of the dialogue.

The dialogue with the State party might include issues such as:

1. The definition of the child, and the minimum age of admission to employment, as well as the age of criminal responsibility.

2. The implementation of the Convention in practice (e.g., in court decisions, in decisions by administrative bodies, in the development of policies on children's issues) of the principles of non-discrimination (article 2), the best interests of the child (article 3), and the right of the child to be heard (article 12).

3. Measures undertaken to ensure birth registration to all children born in the State party.

4. Measures taken to ensure greater respect for the civil rights and freedoms of the child.

5. Assistance provided to families, including single-parent families, in caring for and raising their children, such as family counselling services, parental education programmes, and enforcement of maintenance orders. In addition, measures taken to implement the Family Policy referred to in paras. 97-98 of the State party report.

6. Measures taken regarding children deprived of a family environment, such as orphans and abandoned children, and on the use and monitoring of alternative care measures.

7. Strategies developed to prevent child abuse and to assist victims. Also, the use of corporal punishment in families, schools and other institutions.

8. Children with disabilities, including availability of health and education services, access to public buildings, and the availability of services to undocumented children.

9. Sex and reproductive health education for adolescents, including HIV/AIDS prevention; and the large number of illegal abortions.

10. Education with respect to the New Governmental Policy 1999-2002; and progress achieved in improving literacy rates, training of teachers, and the accessibility of education to migrant children.

11. The juvenile justice system with particular attention to the separation of children from adult detainees, social reintegration programmes for children, and education services for children in detention.

12. Measures taken to combat child labour and provide assistance to street children.

13. Measures to prevent and combat the sexual exploitation of children.

14. Progress made in preventing and combating substance abuse amongst children, as well as drug trafficking, including any revisions made to the 1960 Opium Law.